

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

\_\_\_\_\_  
MICHELLE CHRISTIAN

Plaintiff,

v.

OMNIS GLOBAL TECHNOLOGIES, LLC  
and  
OMNIS BUILDING TECHNOLOGIES, LLC  
and  
OBT BLUEFIELD, LLC  
and  
OMNIS FUEL TECHNOLOGIES LLC  
d/b/a OMNIGEN  
and  
OMNIS SUBLIMATION RECOVERY  
TECHNOLOGIES, LLC

\_\_\_\_\_  
Defendants.

Civil Action No.: 2:24-cv-01319

**ORDER**

**AND NOW**, this        day of June 2024, upon consideration of Plaintiff's Motion for Leave to File a *Surreply* Brief in further Response to Defendants' Motion to Dismiss, it is hereby **ORDERED** and **DECREED** that Plaintiff's Motion is **GRANTED**. Plaintiff may file a *Surreply* Brief that does not exceed five (5) pages.

\_\_\_\_\_  
The Honorable Mia Roberts Perez

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MICHELLE CHRISTIAN	:	
	:	
Plaintiff,	:	
	:	Civil Action No.: 2:24-cv-01319
v.	:	
	:	
OMNIS GLOBAL TECHNOLOGIES, LLC	:	
and	:	
OMNIS BUILDING TECHNOLOGIES, LLC	:	
and	:	
OBT BLUEFIELD, LLC	:	
and	:	
OMNIS FUEL TECHNOLOGIES LLC	:	
d/b/a OMNIGEN	:	
and	:	
OMNIS SUBLIMATION RECOVERY	:	
TECHNOLOGIES, LLC	:	
	:	
Defendants.	:	
	:	

**PLAINTIFF'S MOTION FOR LEAVE TO FILE A SURREPLY BRIEF AS A RESULT  
OF ARGUMENTS CONTAINED WITHIN DEFENDANT'S REPLY BRIEF IN  
FURTHER SUPPORT OF THEIR MOTION TO DISMISS**

Plaintiff respectfully requests that this Honorable Court grant her leave to file a Sur-Reply Brief to address solely those arguments contained within Defendants' Reply in further support of their Motion to Dismiss. If this Court is so inclined to grant the request, the Brief shall not exceed five (5) pages, and is attached hereto as "Exhibit A." The reasons for the instant request are set forth below.

1. Plaintiff asserts that Defendants violated her rights pursuant to Title VII of the Civil Rights Act of 1964 ("Title VII"), the Pennsylvania Human Relations Act ("PHRA"), and the False Claims Act, 31 U.S.C. § 3730(h)(1) ("FCA"). Additionally, Plaintiff states claims for unjust

enrichment, breach of contract, promissory estoppel, and violations of the Pennsylvania Wage Payment and Collection Law (“WPCL”) 43 Pa. Stat. Ann. § 260.9 for unpaid wages.

2. On May 28, 2024, Defendant filed a Motion to Dismiss based on improper venue, failure to state a claim under the FCA, and failure to differentiate between Defendants pursuant to Fed. R. Civ. P. 8(a)(2). Dkt. No.: 10. Defendant also submitted a separate Motion to Transfer Venue. Dkt. No.: 11

3. On June 11, 2024, Plaintiff filed her Briefs in Opposition to the Motion to Dismiss (Dkt. No.: 13) and Motion to Transfer Venue (Dkt. No.: 13).

4. On June 18, 2024, Defendant filed their Reply, which asserts certain arguments, that were not previously raised within their initial Motion.

5. Therefore, Plaintiff respectfully seeks leave to address solely those issues contained within their Reply and not to “re-hash” similar legal/factual arguments already raised by the Parties. Plaintiff submits that the inclusion of certain case law within Plaintiff’s *Surreply* is helpful and necessary for the consideration of Defendants’ Motion.

6. If the Court is inclined to grant this request, Plaintiff’s proposed *Sur-reply* is attached hereto as “Exhibit A.”

**WHEREFORE**, Plaintiff respectfully requests that this Honorable Court grant her leave to file a *Sur-reply* Brief in further opposition to Defendants’ Motion to Dismiss.

Respectfully submitted,

**KARPF, KARPf & CERUTTI, P.C.**

/s/ Christine E. Burke

Christine E. Burke, Esq.

Karpf, Karpf & Cerutti, P.C.

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Date: June 25, 2024

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

\_\_\_\_\_  
MICHELLE CHRISTIAN

Plaintiff,

v.

OMNIS GLOBAL TECHNOLOGIES, LLC  
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OMNIS BUILDING TECHNOLOGIES, LLC  
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OBT BLUEFIELD, LLC  
and  
OMNIS FUEL TECHNOLOGIES LLC  
d/b/a OMNIGEN  
and  
OMNIS SUBLIMATION RECOVERY  
TECHNOLOGIES, LLC

\_\_\_\_\_  
Defendants.

Civil Action No.: 2:24-cv-01319

**CERTIFICATE OF SERVICE**

I certify on the date set forth below that I sent Plaintiff's Motion for Leave to File a *Surreply*

Brief at the following address via ECF:

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Alexa J. Laborda Nelson, Esq.  
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**KARPF, KARPF & CERUTTI, P.C.**

/s/ Christine E. Burke

Christine E. Burke, Esq.

Dated: June 25, 2024